

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BENITO MORALES,

Plaintiff,

v.

STEVEN CAMBRA, et al.,

Defendants.

CV F- 02-5073 OWW DLB P

ORDER DIRECTING PLAINTIFF TO  
SUBMIT USM 285 FORMS

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action pursuant to 42 U.S.C. section 1983. On February 5, 2004, the District Court adopted the magistrate's recommendation that this case proceed only as to defendants Lowden, Dechoa and Freitas on the Eighth Amendment claim of deliberate indifference to safety. Plaintiff filed a motion to vacate this order, which the District Court denied on January 5, 2005. Accordingly, IT IS HEREBY ORDERED that:

1. Service is appropriate for defendants Lowden, Dechoa and Freitas.
2. The Clerk of the Court shall send Plaintiff three (3) USM-285 forms, three (3) summons, a Notice of Submission of Documents form, an instruction sheet and a copy of the second amended complaint filed August 28, 2003.
3. Within THIRTY (30) DAYS from the date of this Order, Plaintiff shall complete the

1 attached Notice of Submission of Documents and submit the completed Notice to the  
2 Court with the following documents:

- 3 a. Completed summons;  
4 b. One completed USM-285 form for each defendant listed above; and  
5 c. Four (4) copies of the endorsed second amended complaint filed August 28,  
6 2003.

7 4. Plaintiff need not attempt service on Defendants and need not request waiver of  
8 service. Upon receipt of the above-described documents, the court will direct the  
9 United States Marshal to serve the above-named Defendants pursuant to Federal Rule  
10 of Civil Procedure 4 without payment of costs.

11 5. The failure to comply with this Order will result in a Recommendation that this action  
12 be dismissed.

13 IT IS SO ORDERED.

14 Dated: March 9, 2006

3c0hj8

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE